



REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested in light of the following discussion.

Claims 1-7 are pending, each claim having been rejected as being unpatentable over Suonvieri (U.S. Patent No. 6,571,284) in view of MacNamee (WO 9622636).

Applicants respectfully traverse the rejection. The invention defined by Claim 1 is related to a radio relay apparatus and includes a determination unit and a receiver. The determination unit determines a first identification code used a temporary identification code of the radio relay apparatus. The first identification code is determined in conjunction with an identification code of the base station. The receiver receives a second identification code that is determined by the monitoring apparatus. The monitoring apparatus determines the second identification code based on the first identification code, and the second identification code is determined to be different from the identification codes of other radio relay apparatuses. The second identification code is used as the formal identification code of the radio relay apparatus.

Suonvieri shows in Fig. 3, and describes at column 6, lines 20-44, the determination unit. Applicants respectfully traverse this assertion. The passage cited in the Office Action describes the establishment of a repeater plan that provides update messages B1, B2, and B3 to repeaters R1, R2, and R3. The update messages include a contact number, a changed parameter value and an update command. However, nothing in Suonvieri teaches or suggests the "identification code", or the "temporary identification code". Furthermore, Suonvieri does not teach a determination unit that determines the first identification code in conjunction with an identification code of the base station that serves as a target.

The Office Action recognizes that Suonvieri does not disclose the claimed repeater, but rather relies on MacNamee for this missing element. Moreover, the Office Action asserts

that MacNamee describes at page 6, lines 15-30, the claimed receiver. However, MacNamee expressly teaches away from the presently claimed invention. The receiver of Claim 1 requires that the receiver of the radio relay apparatus receives the second identification code that is determined by the monitoring apparatus. In contrast, MacNamee at page 6, lines 24-26 expressly states that it is the repeater that "replaces the base station identity code with its own identity code". Therefore, it is respectfully submitted that no matter how Suonvieri is combined with MacNamee, the combination neither teaches nor suggests the invention defined by Claim 1. Although of differing statutory class and/or scope it is respectfully submitted that Claims 2-7 also patentably define over the asserted prior art for substantially the same reasons as discussed above with regard to Claim 1.

Consequently, in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-7 is patentably distinguishing over the prior art. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully submitted,

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